

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SIMMONS Examiner: UNKNOWN  
Serial No.: 10/764,428 Group Art Unit: 1651  
Filed: JANUARY 23, 2004 Docket: 11669.120USU1  
Confirmation No.: 6080 Due Date: JULY 5, 2004  
Title: METHODS FOR PRODUCING HUMANIZED ANTIBODIES AND IMPROVING YIELD  
OF ANTIBODIES OR ANTIGEN BINDING FRAGMENTS IN CELL CULTURE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

By:

Name: Kristine A. Walsh

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
  - ☒ Check(s) in the amount of \$4,260.00 for filing fee of \$770; missing parts surcharge of \$130; additional claims fee of \$3,070 and multiple dependent fee of \$290
  - ☒ Notice to File Missing Parts of NonProvisional Application - Part 2
  - ☒ Signed Combined Declaration and Power of Attorney
  - ☒ Request for Recognition of Patent Practitioners as Being of Record, Under Rule 37 C.F.R. § 1.32(c)(3)
  - ☒ Response to Notice to File Missing Parts and Certificate Regarding Sequence Listing
  - ☒ Computer readable form of Sequence Listing. Applicants state that the paper copy form of the Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
  - ☒ Submission of Formal Drawings, 50 Sheets of Formal Drawings
  - ☒ Preliminary Amendment
- The fee has been calculated as shown below in the "Claims as Amended" table
- ☒ Return postcard

CLAIMS AS AMENDED

Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Fee
Total Claims								
138	-	20	=	118	x	18.00	=	\$2124.00
Independent Claims								
14	-	03	=	11	x	86.00	=	\$946.00
MULTIPLE DEPENDENT CLAIM FEE								\$290.00
TOTAL FILING FEE								\$3360.00

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:

Name: Katherine M. Kowalchuk

Reg. No.: 36,848

KKowalchuk:PLSkaw



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,428	01/23/2004	Laura Simmons	11669.120USU1

23552  
MERCHANT & GOULD PC  
P.O. BOX 2903  
MINNEAPOLIS, MN 55402-0903



CONFIRMATION NO. 6080

## FORMALITIES LETTER



\*OC000000012536480\*

Date Mailed: 05/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/12/2004 HLE333 00000029 10764428

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1201	946.00 OP
03 FC:1202	2124.00 OP
04 FC:1203	290.00 OP
05 FC:1051	130.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3810** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

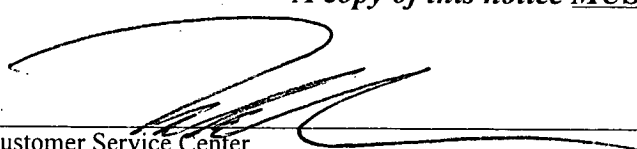
Total additional fee(s) required for this application is **\$4710** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$3810**
  - **\$946** for **11** independent claims over 3.
  - **\$2574** for **143** total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE